## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Mich

Michael SCHIRNER et al.

Serial No.: 10/088,866

Group Art Unit: 6769

Filed: July 2, 2002

Examiner: Sheela Jitendra Huff

For:

ANTIBODY-DYE CONJUGATES FOR BINDING TO TARGET STRUCTURES OF ANGIOGENESIS IN ORDER TO INTRAOPERATIVELY DEPICT TUMOR

**PERIPHERIES** 

## INFORMATION DISCLOSURE STATEMENT UNDER 37 CFR §§ 1.56, 1.97 and 1.98

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

This information disclosure statement is made in accordance with 37 C.F.R. §§ 1.56, 1.97 and 1.98 as follows:

## Timing and Fees

$\boxtimes$	Under 37 C.F.R. § 1.97(b), no fee or statement is required for filing this informat disclosure statement is filed:					
		within three months of the filing date of a national application other than a CPA under § 1.53(d);				
		within three months of the actual filing date of the national phase of a PCT application; OR				
		before the mailing of a first substantive office action (including after filing of an RCE).				
		37 C.F.R. § 1.97(c), this information disclosure statement is filed after the periods ed in 37 C.F.R. § 1.97(b), but before the mailing date of:				
		a final rejection under 37 C.F.R. 1.113; termination of prosecution, e.g. Ex Parte Quayle, M.P.E.P § 609(B)(2); OR a notice of allowance under 37 C.F.R. § 1.311; and				

		is acco	ompanied by:			
			the statement as specified in 37 C.F.R. § 1.97(e) set out below; OR			
			a check covering the fee of \$180.00 under 37 C.F.R. § 1.17(p).			
			R. § 1.97(d), this information disclosure statement is filed after the mailing lowing actions which have not been withdrawn:			
		a final	action under 37 C.F.R. § 1.113;			
		termin	ation of prosecution, e.g. Ex Parte Quayle, M.P.E.P § 609(B)(2);			
		OR a r	notice of allowance under 37 C.F.R. § 1.311;			
	AND	is filed o	on or before payment of the issue fee; AND is accompanied by:			
			tement as specified in 37 C.F.R. § 1.97(e) as set forth below, and the fee of 00 under 37 C.F.R. § 1.17(p).			
Staten	nents Ui	nder 37	C.F.R. 1.97(e)			
			Each item of information contained in this information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application having a mailing date not more than three months prior to the filing date of this information disclosure statement; or			
			No item of information contained in this information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and to the knowledge of the undersigned attorney after making reasonable inquiry, no item of information contained in this information disclosure statement was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing date of the information disclosure statement.			
Cited 1	Materia	<u>ls</u>				
		Copies of materials listed but not attached were cited in benefit (35 U ancestor application Serial No, on Form 892 by the Examiner a 1449 by the applicant; see 37 C.F.R. § 1.98(d).				
			of materials listed but not attached were cited in an international search dated			
		Not rec	quired by 37 CFR § 1.98.			
	$\boxtimes$	Copies	of the materials listed are attached (except for the foregoing).			

Non-E	nglish I	Language References					
		An English-language search report or equivalent paper from a foreign patent office is provided indicating the relevance of the cited reference(s).					
		A foreign-language search report from a foreign patent office is provided, and pertinent parts are translated substantively below:					
		<ul> <li>X = document of particular relevance when it is taken alone</li> <li>Y = document of particular relevance when it is combined with another such document</li> </ul>					
		A = document defining the general state of the art					
		O = non-written disclosure P = intercalated document					
		T = document cited to understand the theory or principle underlying the invention					
		E = patent document which has the benefit of a date earlier than the filing date and which was published only on or after this filing date					
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		k for \$ covering the fee identified above is attached.					
	Please	charge to Deposit Account No. 13-3402 \$ for the fee identified above.					

The Commissioner is hereby authorized to charge or credit any overpayment to Deposit Account #13-3402, two copies of this paper are attached for this purpose.

Respectfully submitted,

Csaba Henter, Reg. No. 50,908 Attorney/Agent for Applicants

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Attorney Docket No.: SCH-1869

Date: January 3, 2006

CH:pdr

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Substitute	for form 1449A/PT	0		Complete if Known		
				Application Number	10/088,866	
INFO	RMATION	DISC	LOSURE	Filing Date	July 2, 2002	
STAT	EMENT B	Y API	PLICANT	First Named Inventor	Michael SCHIRNER et al.	
				Group Art Unit	6769	
	(use as many sh	eets as ne	cessary)	Examiner Name	Sheela Jitendra Huff	
Sheet	1	of	1	Attorney Docket Number	SCH-1869	

-	U.S. PATENT DOCUMENTS							
		U.S. Patent Docum	ent Kind Code <sup>2</sup>		Date of Publication of Cited Document			
Examiner Initials *	Cite No.1	Number	(if known)	Name of Patentee or Applicant of Cited Document	MM-DD-YYYY			
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		Foreign Patent Document				Date of Publication of	Pages, Columns, Lines, Where Relevant	
Examiner Initials*	Cite No.1	Office <sup>3</sup>	Number <sup>4</sup>	Kind Code <sup>5</sup> (if known)	Name of Patentee or Applicant of Cited Document	Cited Document MM-DD-YYYY	Passages or Relevant Figures Appear	T⁵
	1	wo	97/45544		Medical Research Council	12-4-1997		
	2	wo	99/58570		Technische Hochschule Zurich	11-18-1999		
	3	wo	01/62800		Eidgenossische Technische Hochschule Zurich	08-30-2001		

Examiner Signature	Date Considered	

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EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>&</sup>lt;sup>1</sup> Unique citation designation number. <sup>2</sup> See attached Kinds of U.S. Patent Documents, <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached. Number refers to English language corresponding family member.